

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

TZVI WEISS, et al.	:	x
	:	
Plaintiffs,	:	
	:	
-against-	:	05-CV-4622 (CPS) (KAM)
	:	
NATIONAL WESTMINSTER BANK, PLC,	:	
	:	
Defendant.	:	
	:	

STIPULATION AND ORDER

Plaintiffs, by and through their counsel, and Defendant, by and through its counsel, hereby stipulate as follows:

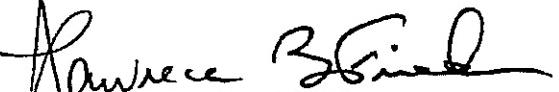
WHEREAS, this Court in the above-captioned action ruled in its September 27, 2006 Memorandum Opinion that the first claim for relief, common law aiding and abetting, would be dismissed with leave to re-file;

NOW, THEREFORE, it is hereby stipulated that, for appellate purposes, the issues raised with respect to the first claim for relief, common law aiding and abetting, and ruled upon by the Court herein, shall be preserved for all purposes of appeal in the within action.

The parties further stipulate that the first claim for relief of the Fourth Amended Complaint in the within action is deemed dismissed without prejudice, with leave to re-file the claim consistent with any rulings the Court may enter in this case, or pursuant to any final appellate decision rendered in this case.

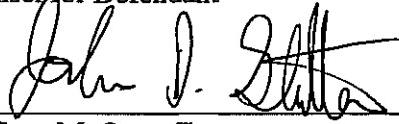
Dated: New York, New York
December 31, 2007

By:


Jonathan I. Blackman
Lawrence B. Friedman
CLEARY GOTTLIEB STEEN &
HAMILTON LLP
One Liberty Plaza
New York, NY 10006
Telephone: 212-225-2000

Counsel for Defendant

By:


John D. Strachman
Gary M. Osen, Esq.
Joshua D. Glatter, Esq.
Aaron Schlanger, Esq.
Peter Raven-Hansen, Esq., Of Counsel
Osen & Associate, LLC
700 Kinderkamack Road
Oradell, New Jersey 07649
Telephone: (201) 265-6400

Steven M. Steingard, Esq.
Neil L. Glazer, Esq.
Kohn, Swift & Graf, P.C.
One South Broad Street
Philadelphia, PA 19107
Telephone: (215) 239-1700

Andrew D. Friedman, Esq., Of Counsel
Neil A. Dublinsky, Esq., Of Counsel
Glancy Binkow & Goldberg LLP
430 Park Avenue
New York, New York 10022
Telephone: (212) 308-6300

David J. Strachman, Esq.
McIntyre, Tate, Lynch & Holt, LLC
321 South Main Street, Suite 400
Providence, Rhode Island 02930
Telephone: (401) 351-7700

Nitsana Darshan-Leitner, Esq.
Nitsana Darshan-Leitner & Associates
11 Havatikim Street
Petah Tikva, Israel 49389
Telephone: (972) 3-933-4472

Counsel for Plaintiffs

SO ORDERED:

Dated: _____

Charles P. Sifton, U.S.D.J.